THIRD CIRCUIT'S FREQUENTLY ASKED QUESTIONS (FAQs)

Registration

- How do I register to be a filer?
- Must I register before I can file through ECF?
- How long after I register can I file something?
- Do I have to register if I have a PACER account and a CM/ECF account at another court?
- How can I get my co-counsel/support staff added to receive notification for my case(s)?
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- I want to use a form on the Court's website, but I am unable to save the information I filled in. What do I do?
- When I try to file my document, I get an XML Tampering Error and cannot proceed.

 What should I do?
- When I try to file my document, I get an Error Parsing PDF message and cannot proceed.
 What should I do?
- I have logged into the system using my password and login, however I get a blank gray screen?

• Why do I get an error indicating "you must enable cookies" after I enter my login and password?

REGISTRATION

How do I register to be a filer?

Answer - An ECF password and login are required to file documents in ECF. The first step is obtaining an ECF password and login for the Third Circuit from the PACER Service Center at http://pacer.psc.uscourts.gov/. Once on the PACER site select the "Appellate ECF Filer Registration" option. Or, you may go to the <a href="https://exemple.com/theacetaille-com/the

Must I register before I can file through ECF?

Answer - Yes. You cannot file through ECF until you register and the court approves you as an ECF filer. See L.A.R. MISC. 113.2

How long after I register can I file something?

Answer - The registration process could take up to several days. It is best to register far in advance of any Court due dates as possible.

Do I have to register if I have a PACER account and a CM/ECF account at another court?

Answer - Yes. Your <u>CM/ECF account</u> is an authorization to file in a specific court, and it is separate from your nationwide PACER account. You must register for every court where you intend to be a filer. If you are already registered as an ECF user with another appellate court, please review the instructions to become registered in the Third Circuit Court.

How can I get my co-counsel/support staff added to receive notification for my case(s)?

Answer - From the <u>Third Circuit CM/ECF</u> website, select the option "CM/ECF Account Update." You can modify your user profile through PACER. Indicate co-counsel/staff in the additional e-mail field.

I am a court reporter. How do I register to be a filer?

Answer - You would register the same way as other ECF filers. You should identify yourself as a court reporter during the registration process. At the Personal Information page, you will see a set of radio buttons labeled "Are you." You will select the **a court reporter** radio button on the first page in the registration form.

Is there any special training or requirements in order to register and file in ECF?

Answer - Yes. If you are an attorney, must to be a member of the Third Circuit's bar in order to file documents through ECF. There are no training requirements, but the court strongly recommends that users review the CM/ECF User Manual. We have a training database, which is available for users to practice filing documents. You may also check the Third Circuit's CM/ECF website for upcoming training sessions.

CM/ECF DOCKETING

I received an error which indicated that my username and/or password is incorrect?

Answer - There could be several reasons why you received this error:

If you are using a username and password that is for a District or Bankruptcy Courts, the username and password will not work for the Third Circuit CM/ECF system. You must register with the individual appellate court to become an ECF filer.

If you did register for a username and password from the Third Circuit, check to see if you received an e-mail indicating that your account status is "active." If not, wait for the e-mail from the PACER Service Center advising you of your account status. Your username and password does not take effect immediately. The Clerk's Office must review each registration and this could take several days.

On the previous screen, make sure you selected the hyper link titled "CM/ECF Document Filing System." If you selected any other hyper link on the previous page, the username and password will not work.

How can I find out if a case participant is receiving electronic notice?

Answer - You should access the Docket Report via PACER. If a participant is listed on the docket report with an e-mail address, he/she is receiving electronic notice.

Is there a list of filing categories and types of motions?

Answer - Yes. There is an Event and Relief list in the <u>CM/ECF User Manual</u>, which you can find on the Third's Circuit's CM/ECF website.

What is the latest time that a filing can be made?

Answer - Filings through the CM/ECF system are timely, as of, 11:59 pm on the due date. There are exceptions to this time if the Clerk or Court specifies a specific hour or time for filing such as "4:30 pm" or "by the close of business."

See L.A.R. MISC. 113.3 (c)

Is electronic filing mandatory in the Third Circuit?

Answer - Yes. Electronic filing is mandatory for attorneys and court reporters as of December 15, 2008, unless you ask for and are granted an exemption. Pro Se litigants are exempt from mandatory electronic filing. They may continue to file documents with the Clerk's office in paper. See L.A.R. MISC. 113.2

Does my document need a Certificate of Service?

Answer - Yes. A Certificate of Service is required for all filings. The Certificate of Service should be the last page of the document. See L.A.R. MISC. 113.4 (c)

Do I need to send the Clerk a paper copy of a document filed through CM/ECF?

Answer - Case-initiating documents in original proceedings in the Third Circuit must be filed in paper format only. Briefs and appendices should be filed electronically and in hard copy form. Unless prescribed by local rule or court order, all other documents should be filed electronically. See L.A.R. MISC. 113.1 (a) (b)

Where do I locate the forms requested by the Court?

Answer - All of the forms that are requested by the Court are on the Third Court's website at www.ca3.uscourts.gov. All of the forms are PDF writable.

I just entered my appearance form, however, when I file the next document I receive an error to contact the Court.

Answer - At the time the Clerk's Office receives an entry of appearance through ECF, the Clerk's Office must take certain action in order for an attorney to file subsequent documents. Although case opening forms or statements may be filed at the time an appearance is entered, the Clerk's Office is required to first perform database maintenance prior to an attorney filing other documents such as motions, responses, and briefs. As a result, appearances should be filed as soon as possible and prior to the time for filing a motion, response or brief.

TECHNICAL (In the first instance, you should check with your local system administrator when experiencing any technical issues).

I want to use a form on the Court's website, but I am unable to save the information I filled in. What do I do?

Answer - To save the information entered in the PDF forms, you must have an application that will let you save filled in PDF forms, such as Adobe Acrobat Writer. If you do not have such an application, fill in the form and print it. Scan the printed, filled in version of the form, save the scanned file as a PDF and attach it to your filing.

When I try to file my document, I get an XML Tampering Error and cannot proceed. What should I do?

Answer - There are several reasons you may get an error:

The file name of the PDF you are attaching has special characters, such as letters with accents. CM/ECF does not accept special characters in file names. To fix the problem, rename the PDF and try again.

You entered a special character in the **Description** field for the PDF you are attaching. CM/ECF does not accept special characters in text fields. To fix the problem, change the text in the **Description** field so that there are no special characters.

The PDF you are attaching was created with Adobe Acrobat 9 and you did not change the settings to make the PDF compatible with CM/ECF. See http://www.ca3.uscourts.gov/ecfwebsite/AdobeAcrobat9 CMECF.pdf for a possible solution.

When I try to file my document, I get an Error Parsing PDF message and cannot proceed. What should I do?

Answer - The PDF you are attaching was created with Adobe 9 and you did not change the settings to make the PDF compatible with CM/ECF. See <u>Adobe 9 and CM/ECF</u> Compatibility for a possible solution.

I have logged into the system using my password and login, however I get a blank gray screen?

Answer - The problem may result from not having an updated version of Java on your computer. The solution may be as simple as loading the latest version of JAVA by going to www.java.com. Review the technical CM/ECF issues located on the Third Circuit CM/ECF website. The information will reference the software that is necessary for the system to function.

Why do I get a message indicating "you must enable cookies" after I enter my login and password?

Answer - There are several solutions that may correct this problem.

1. You can enter your username and password for a second time and it usually takes you to the application.

OR.

- 1. Verify that the recommended browser is being used (i.e. Internet Explorer or Firefox).
- 2. You may set your PC to accept all cookies.
- 3. Delete your existing cookie files.
- 4. Add the following as trusted sites:
 - a. https://ecf.ca3.uscourts.gov
 - b. http://www.ca3.uscourts.gov